

ROSCOMMON COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT 2000 (as amended)

SECTION 5 - DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT

CHIEF EXECUTIVE'S ORDER

Order No:

24/56/25

Reference Number:

DED 795

Name of Applicant:

Peter O'Connor

Agent:

James Lohan Consulting Engineers Ltd

WHEREAS a question has arisen as to whether the refurbishment of a derelict house works including 1) strip out walls, floors & ceilings; 2) install new ceiling joists, internal stud work, plasterboard & skim; 3) upgrade the entire plumbing & heating system; 4) install new flooring; 5) re-slate the roof; 6) complete second fix carpentry, paint & internal decoration & 7) construct a 40sqm extension for a new kitchen and dining room at Bellacagher, Ballymoe, Co. Roscommon, is or is not development and is or is not exempted development.

AND WHEREAS Roscommon County Council, in considering this application, had regard particularly to:

- (a) Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended.
- (b) Articles 6, 9 and 10 of the Planning and Development Regulations, 2001, as amended.
- (c) Class 1, 5, 6 and 50 of Part 1 of Schedule 2 of the Planning and Development Regulations, 2001 (Exempt Development – General), as amended.
- (d) The record forwarded to Roscommon County Council in accordance with subsection (6)(c) of Section 5 of the Planning and Development Acts 2000 as amended.
- (e) The planning history of the site.

AND WHEREAS Roscommon County Council has concluded that:

- (a) The works outlined above are development.
- (b) The proposed extension to rear of a dwelling house as described in this case is an exempted development.
- (c) The proposed construction of a 1.2m high timber post and rail boundary fence around the existing dwelling as described in this case is considered an exempted development.
- (d) The construction of a driveway for the existing dwelling as described in this case is considered an exempted development.
- (e) The proposed demolition of the existing extension to the rear of the dwelling as described in this case is an exempted development.
- (f) The proposed refurbishment of the derelict house as above fall within the provisions of Section 4(1)(h) of the Planning & Development Act 2000 as amended, which provides as follows:
development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;
- (g) The proposed development individually and in combination with other plans or projects would not be likely to have a significant effect on any European site and that the requirement for AA or EIAR does not apply with respect to the current case.

NOW THEREFORE:

By virtue of the powers vested in me by the Local Government Acts 1925 – 2024 and Section 5(2)(a) of the Planning and Development Act 2000 (as amended) and having considered the various submissions and reports in connection with the application described above, it is hereby declared that the said development to refurbish a derelict house works including 1) strip out walls, floors & ceilings; 2) install new ceiling joists, internal stud work, plasterboard & skim; 3) upgrade the entire plumbing & heating system; 4) install new flooring; 5) re-slate the roof; 6) complete second fix carpentry, paint & internal decoration & 7) construct a 40sqm extension for a new kitchen and dining room at Bellacagher, Ballymoe, Co. Roscommon,, is development that is **exempted development** as defined within the Planning and Development Act 2000 (as amended) and associated Regulations.

Signed: 

Alan O'Connell,
Senior Executive Planner,
Planning.

Date: 15 January, 2025.

ROSCOMMON COUNTY COUNCIL
Chief Executive's Order requesting Further Information
on Section 5 of the Planning & Development Act 2000 (as amended)

Order No: PL/07/25

Subject: Planning & Development Act 2000 (as amended).
Planning & Development Regulations 2001 (as amended).

Applicant: Peter O'Connor

Agent: James Lohan Consulting Engineers Ltd

Ref No.: DED 795

RE: WHEREAS a question has arisen as to whether the refurbishment of a derelict house works including 1) strip out walls, floors & ceilings; 2) install new ceiling joists, internal stud work, plasterboard & skim; 3) upgrade the entire plumbing & heating system; 4) install new flooring; 5) re-slate the roof; 6) complete second fix carpentry, paint & internal decoration & 7) construct a 40sqm extension for a new kitchen and dining room at Bellacagher, Ballymoe, Co. Roscommon, is or is not development and is or is not exempted development.

ORDER: By virtue of the powers vested in me by the Local Government Acts 1925 - 2024 and the Planning & Development Act 2000 (as amended), it is hereby ordered that **Further Information** in relation to the request for a Declaration on development and exempted development (Reference No. DED 795) be requested from the Applicant.

Signed on the 14th January 2025



Alan O'Connell,
Senior Executive Planner,
Planning.